

AMENDMENT UNDER 37 C.F.R. § 1.114(c)  
U.S. APPLN. NO.: 10/607,646

ATTY DOCKET NO.: A8973

**AMENDMENTS TO THE DRAWINGS**

Applicants are submitting a replacement page that incorporates the redlined changes to figure 3 that were filed on April 21, 2006

Attachment: Replacement Sheet

**REMARKS**

Claims 6-11 are all the claims pending in the application.

Claim 1 has been amended to further clarify Applicants' claimed invention..

New claim 12 has been added to provide additional claim coverage.

Applicants are submitting a replacement sheet that incorporates the changes in the redlined figure 3 that was filed on April 21, 2006.

**PRIOR ART REJECTIONS**

The Examiner has rejected claims 6-11 under 35 U.S.C. § 103(a) as being unpatentable over Forrester et al. in view of Bossard. Applicants traverse these rejections because the cited references fail to disclose or suggest all of the claim limitations. Applicants continue to disagree that the claims in the April 21, 2006 amendment are obvious in view of Forrester and Bossard; however, in order to expedite prosecution, Applicants have further amended claim 6. Claim 6 requires that the first fiber optic cable not pass through the bail and that the splice closure is connected to the bail.

The Examiner alleges that Forrester et al. figure 9 shows a clamp 12 and bails 18 and 20. Applicants disagree for the reasons contained in the April 21, 2006 Amendment. However, assuming that the bail is item 18 and 20 in Forrester, Forrester clearly shows that the fiber optic cable passes through item 18. It is not clear whether or not the fiber optic cable passes through item 20, but even if it does not, item 20 cannot be the claimed bail because the splice closure 70 is not connected to item 20. Rather, the splice closure is shown connected to item 18. For at least these reasons, the Examiner is requested to withdraw the prior art rejection of claim 6.

Regarding claims 7-11, these should be allowable at least based on their dependence from claim 6 for the same reasons.

New claim 12 requires that the bail not be connected to the first fiber optic cable. Again, if you assume that the bail is item 18 and 20 in Forrester, Forrester clearly shows that the fiber optic cable is connected to item 18. It is not clear whether or not the fiber optic cable is connected to item 20, but even if it is not, item 20 cannot be the claimed bail because the splice closure 70 is not connected to item 20. Rather, the splice closure is shown connected to item 18. For at least these reasons, the Examiner is requested to withdraw the prior art rejection of claim 6.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: November 17, 2006

Respectfully submitted,



Carl J. Pellegrini  
Registration No. 40,766